

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MARCH 18, 1970

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, March 18, 1970 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON,
HUNNELL (arrived 8:35 p.m.) and
KIRSTEN (Mayor)

Absent: Councilman - SCHAFFER

Also present: Public Works Director Jones,
Planning Director Schroeder and Assistant City Attorney
Sullivan.

PLEDGE Mayor Kirsten led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Brown, Culbertson second, the Minutes of February 18, 1970 were approved as written and mailed.

PUBLIC HEARINGS

SPECIFIC PLAN - Notice thereof having been published in accordance with
S. HAM LANE law, Mayor Kirsten called for the public hearing on the
proposal to adopt a Specific Plan for South Ham Lane
between Kettleman Lane and Harney Lane. Public Works
ORD. NO. 927 Director Jones introduced the matter, showing a drawing
INTRODUCED of the proposed plan.

There was no one in the audience who wished to speak on the matter, and the public portion of the hearing was closed.

On motion of Councilman Culbertson, Brown second, the Council introduced Ordinance No. 927 adopting a Specific Plan for South Ham Lane between Kettleman Lane and Harney Lane.

JAYCEES

Mr. Frank Handley, 1028 South Central Avenue, representing the Lodi Junior Chamber of Commerce, requested Council approval for the Jaycees to sponsor a fun day at the Lodi Lake Park on Saturday, June 20 or June 21, 1970. Mr. Handley explained that the Club had planned a fun day similar to the one held at the Lake Park last year. He requested the Club be allowed to sell beer as well as other food again this year. He stated he would like permission from the City's concessionaire to do this. He also explained that the Club would like to raise enough funds from this event to provide lighted scoreboards for the Recreation Department. Public Works Director Jones indicated that the City had not yet executed an agreement with a concessionaire for the Lake Park.

(Councilman Hunnell arrived)

Assistant City Attorney Sullivan stated it would be necessary for the Jaycees to furnish the City with a certificate of liability insurance. Mr. Roger Carr,

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President of the Lodi Jaycees, 5336 East Woodbridge Road, Acampo, assured the Council that the Club would provide the necessary insurance.

After further discussion, Councilman Culbertson moved approval of the Jaycees' request subject to the following:

1. Review of the schedule of events for the Lake Park to determine if the date is acceptable.
2. Approval by the concessionaire of the Jaycees arrangements for the selling of food and beverages.
3. Jaycees to furnish the City of Lodi with a certificate of liability insurance with hold harmless clause.

The motion was seconded by Councilman Brown and carried by unanimous vote.

SPECIFIC PLAN - CENTURY BLVD.

ORD. NO. 928 INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposal to adopt a Specific Plan for Century Boulevard between Lower Sacramento Road and Cherokee Lane. Public Works Jones outlined the area on a map and reviewed the plan for the Council.

There being no one in the audience wishing to speak on the matter, the public portion of the hearing was closed. After discussion by the Council, Councilman Culbertson moved introduction of Ordinance No. 928 adopting a Specific Plan for Century Boulevard between Lower Sacramento Road and Cherokee Lane after amending the Plan to provide left turn lanes at Ham Lane and Century Boulevard, and requesting the Planning Commission to further study the area of Century Boulevard and the Southern Pacific tracks in an effort to provide setback lines for a future grade separation structure at this location. The motion was seconded by Mayor Kirsten and carried by unanimous vote.

PLANNING COMMISSION

OF INTEREST

At its meeting of March 16, 1970 the City Planning Commission took the following actions of interest to the City Council:

1. Determined that the exhibition for an admission fee of "Little Irvy," a 20-ton, 38-foot long sperm whale, constituted commercial recreation and therefore would not be permitted in areas zoned C-1 or C-S.
2. Approved the request of Dr. Ivan M. Hayes for a Variance to permit an existing 22.5 square foot, nonconforming sign to remain after May 31, 1973 at a location where a maximum sign area of 20-square feet is permitted at 820 South Fairmont Avenue in an area zoned C-P.

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3. Approved the request of Mr. Hassan Mosri for a Variance to reduce the required off-street parking spaces from 16 to 11 to permit the erection of a second commercial building at 914 West Lodi Avenue in an area zoned C-1 with certain conditions.
4. Denied the request of the Dairy Queen Drive-in by Mr. Thurmond Sears for a Use Permit to allow an existing revolving sign to continue rotating after May 31, 1973 at 701 South Cherokee Lane in an area zoned C-2.
5. Approved the request of Mrs. Rose Muhlbreier for a Variance to permit an 8-foot by 12-foot addition to an existing dwelling with a nonconforming side yard of 2 feet at 228-1/2 Hilborn Street in an area zoned R-MD.
6. Set a public hearing for 7:30 p.m., Monday, April 13, 1970 to consider recommending an ordinance controlling the development of mobilehome parks to the City Council.
7. Set a public hearing for 7:30 p.m., Monday, March 30, 1970 to reconsider the Criteria for Automobile Service Stations previously recommended to the City Council.

COMMUNICATIONS

ABC LICENSE

Notices of Application for Alcoholic Beverage License were read as follows:

1. Lodi Cosmopolitan, 100 South Main Street, person-to-person transfer, on-sale general eating place.
2. Zidan Suplaban, Bent Pretzel, 548 South Sacramento Street, person-to-person transfer, on-sale beer public premises.

PT&T CO. REQUEST INCREASE

A notice was read from the Pacific Telephone and Telegraph Company stating that an application for authority to increase and decrease certain intrastate rates and charges within the State of California had been filed with the Public Utilities Commission.

DOWNTOWN IMPROVEMENT DISTRICT

A letter was read from Joe Newfield, Jr., Chairman of the Downtown Improvement District committee, stating that the committee had retained Mr. Al Donald on a part-time basis to assist the committee and he requested the City to participate in the amount of \$950 to help pay for Mr. Donald's services. On motion of Councilman Culbertson, Hunnell second, the Council approved the expenditure of \$950 to be used for the services of Mr. Donald as requested by the Downtown Improvement District Committee.

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PARKING
LOT NO. 3

A letter was read from Mr. Thomas O. Bivins, Executive Vice President, Lodi District Chamber of Commerce stating that the Downtown Merchants Association and the Downtown Improvement Committee had met and requested the City temporarily delay the removal of the parking meters in Parking Lot No. 3. After discussion, Councilman Culbertson moved the installation of permit parking Parking Lot #3 at the corner of Oak and Church Streets be delayed until May 1, 1970 pending receipt of further information from the Chamber of Commerce. The motion was seconded by Councilman Brown and carried by unanimous vote.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$220,853.09 were approved on motion of Councilman Brown, Hunnell second.

AMEND PERS
CONTRACT

On motion of Councilman Brown, Councilman Culbertson second, the Council introduced Ordinance No. 929 amending the Public Employees' Retirement System contract to include Section 21251.75 of the retirement law.

ORD. NO. 929
INTRODUCED

VINE-PLEASANT
TRAFFIC STUDY

Public Works Director Jones presented a traffic study which had been made as a result of a complaint received regarding the traffic conditions at the corner of Vine and Pleasant Streets. Mr. Jones recommended the Council authorize installation of yield signs on Lee and Pleasant Avenues at Vine Street. On motion of Councilman Culbertson, Hunnell second, the Council adopted Resolution No. 3363 authorizing installation of "Yield" signs as recommended by the Public Works Director.

RES. NO. 3363-B

AGREEMENT -
STATE

Public Works Director Jones presented a Cooperative Agreement between the City of Lodi and the State of California for the Kettleman Lane grade separation and improvements. On motion of Councilman Hunnell, Brown second, the Council adopted Resolution No. 3364 approving the agreement and authorizing the Mayor sign same on behalf of the City.

RES. NO. 3364

SUPPLEMENTAL
ALLOCATION -
WATER SYSTEM

The Public Works Director recommended a modification of the Capital Outlay Program for the water system this fiscal year. The recommended change involved the addition of a Master Plan line in Cherokee Lane between Vine and Delores Streets. Councilman Culbertson moved approval of a supplemental allocation in the amount of \$11,050 for the water main in Cherokee Lane from Vine Street to Delores Street as recommended. The motion was seconded by Councilman Brown and carried.

ORDINANCES

ANNEX
ROBBY'S ADDN

ORDINANCE NO. 924, entitled, "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED 'ROBBY'S ADDITION,' TO THE CITY OF LODI" having been introduced at the meeting of March 4, 1970, was brought up for passage on motion

ORD. NO. 924
ADOPTED

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of Councilman Brown, Hunnell second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson,
Hunnell & Kirsten
Noes: Councilman - None
Absent: Councilman - Schaffer

ANNEX PICCOLO ADDITION

ORD. NO. 925
ADOPTED

ORDINANCE NO. 925, entitled, "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED 'PICCOLO ADDITION,' TO THE CITY LODI," having been introduced at the meeting of March 4, 1970, was brought up for passage on motion of Councilman Hunnell, Brown second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson,
Hunnell & Kirsten
Noes: Councilmen - None
Absent: Councilman - Schaffer

REQUIRE USE PERMIT FOR SERVICE STATIONS

ORD. NO. 926
ADOPTED

AN ORDINANCE AMENDING SECTION 27-13(a) OF THE CODE OF THE CITY OF LODI AND THEREBY REQUIRING A USE PERMIT FOR THE OPERATION OF AUTOMOTIVE SERVICE STATIONS," having been introduced at the meeting of March 4, 1970, was brought up for passage on motion of Councilman Brown, Hunnell second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson,
Hunnell & Kirsten
Noes: Councilmen - None
Absent: Councilman - Schaffer

ADDENDUM

CORPORATION YARD

Councilman Brown inquired about the status of the plans for the Corporation Yard. Public Works Director Jones reported the staff's time is limited but they are working on the plans.

LEGISLATION- FORAN BILL

Councilman Culbertson requested the Council to study the Foran Bill which is designed to permit a portion of gas tax funds to be used for rapid transit and pollution control. The matter will be discussed at the next regular meeting.

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REGIONAL
PLANNING
ASSOCIATION

Councilman Culbertson reported that as a result of changes in Federal Government regulations in regard to Federal grants, it may be necessary to amend the San Joaquin County Regional Planning Association by-laws and agreement.

CIR

Councilman Culbertson also reported that the State Council on Intergovernmental Relations had been studying the current boundaries established in 1965 by the Planning Advisory Committee with a view toward updating these boundaries and stabilizing them for a five-year period.

LEGISLATION -
AB 908

RES. NO. 3365

Mayor Kirsten recommended the City Council adopt a resolution opposing Assembly Bill 908. On motion of Councilman Culbertson, Brown second, the Council unanimously adopted Resolution No. 3365 opposing enactment of Assembly Bill 908 which would establish a tax of 14% on the gross revenues received by governmental agencies from the sale of electricity. The Council requested copies of the resolution be sent to the appropriate legislators.


LEGISLATION -
REVENUE BONDS
FOR ELECTRIC
FACILITIES

RES. NO. 3366

Mayor Kirsten then requested the Council to endorse the bill which would permit general law cities to issue revenue bonds for extensions and improvements to municipal electric distribution and generation facilities. On motion of Councilman Hunnell, Culbertson second, the Council unanimously adopted Resolution No. 3366 urging enactment of the above bill. The Council requested that copies of the resolution be sent to the appropriate legislators.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:45 p.m.

Attest: 
BESSIE L. BENNETT
City Clerk